

As a below-named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

the specification of which:
(check one)

_____ was filed on _____ as _____

Application Serial No. Not Yet Known

and was amended June 21, 2001

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

[illegible]

Declaranon and Power of Attorney

Page 2

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

And I hereby appoint

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. 38,232); Paul Teng (40,837); Richard F. Jaworski (Reg. No. 33,515); Elizabeth M. Wieckowski (Reg. No. 42,226); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Jane M. Love (Reg. No. 42,812); Spencer H. Schneider (Reg. No. 45,923) and Raymond A. Diperna (Reg. No. 44,063).

and each of them, all c/o Cooper & Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to:

John P. White Reg. No. 28,678
 Cooper & Dunham LLP
 1185 Avenue of the Americas
 New York, New York 10036
 Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Christos J. Petropoulos

Inventor's signature

Citizenship United States of America Date of signature

Residence 415 Garcia Avenue Half Moon Bay, California 94019

Post Office Address Same as Above

Full name of joint inventor (if any)

Inventor's signature

Citizenship Date of signature

Residence

Post Office Address

Full name of joint inventor (if any)

Inventor's signature

Citizenship Date of signature

Residence

Post Office Address

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Applicant or Patentee: Christos J. Petropoulos Attorney's JPW/GJG/CMR
Serial or Patent No.: Not Yet Known Docket No.: 65318
Filed or Issued: Herewith
Title of Invention or Patent: PRODUCTION OF INFECTIOUS HEPADNAVIRUS PARTICLES
CONTAINING FOAMY RETROVIRUS ENVELOPE PROTEINS
AND METHODS OF USING THE SAME

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS UNDER 37 C.F.R. §1.9(f)
AND §1.27(d) - SMALL BUSINESS CONCERN

I hereby declare that I am:

 the owner of the small business concern identified below.

 X an official of the small business concern empowered to act on behalf of the
concern identified below:

Name of Concern: ViroLogic, Inc.

Address of Concern: 270 East Grand Avenue
South San Francisco, CA 94080

I hereby declare that the above identified small business concern qualifies as a
small business concern as defined in 13 C.F.R. §121.3-18, reproduced in 37 C.F.R.
§1.9(d), for purposes of paying reduced fees under 35 U.S.C. §41(a) and §41(b), in
that the number of employees of the concern, including those of its affiliates, does
not exceed five hundred (500) persons. For purposes of this verified statement, the
number of employees of the business concern is the average number, over the previous
fiscal year, of the persons employed by the business concern on a full-time,
part-time, or temporary basis during each pay period of the fiscal year, and
concerns are affiliates of each other when, either directly or indirectly, one
concern controls or has power to control the other, or a third party or parties
controls or has power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain
with the small business concern identified above with regard to the invention
entitled

described in:

 X the specification filed herewith

 application serial no. filed

 patent no. issued

If the rights held by the above identified small business concern are not exclusive,
each individual, concern or organization having rights to the invention is listed
below^a and no rights to the invention are held by any person, other than the
inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.9(c)*,
any concern which could not qualify as a small business concern under 37
C.F.R. §1.9(d)* or as a nonprofit organization under 37 C.F.R. §1.9(e)*.

Name: N/A

Address:

 Individual Small Business Concern Nonprofit Organization

^a NOTE: Separate verified statements are required for each named person, concern, or
organization having rights to the invention averring to their status as small
entities. 37 C.F.R. §1.27.

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. §1.28(b)*.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Kathy Hibbs, Esq.
Title in Organization: General Counsel
Address: ViroLogic, Inc. 270 East Grand Avenue
South San Francisco, CA 94080
Signature: [Signature]
Date of Signature: 6/30/07

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